IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 7283 of 2005

Between:

L. Satyanarayana, S/o Tukaram,
R/o Sadasivpet Village and Mandal, Medak District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Sangareddy, Medak District.
2 The Mandal Revenue Officer, Sadasivpet Mandal, Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of mandamus or any other appropriate writ or writs, order or direction, declaring the action of the 2nd respondent in not releasing the essential commodities from the month of February, 2005 despite payment of requisite amount by way of Demand Draft for release of essential commodities for the purpose of supplying the same to the card holders as illegal, arbitrary and without jurisdiction and consequently declare the action of the 2nd respondent in adjusting the amounts paid by way of Demand Draft towards the release of Essential Commodities to the alleged arrears without following due process of law is also illegal, arbitrary, unconstitutional and contrary to the provisions of A.P. Scheduled Commodities (Regulation of Distribution by Card System) Order 2001 and accordingly direct him to refund the excess adjusted Rs. 9,073/- to the petitioner and consequently direct the Respondents to continue to release the essential commodities to the petitioner by receiving necessary amount by way of Demand Draft without resorting to illegal and arbitrary adjustment towards the alleged arrears even after paying the entire dues and pass such other order or orders, as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

Counsel for the Petitioner: MR.VENKAT REDDY THIPPARTHI

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

ORAL ORDER:

Heard both sides. Perused the material placed before me.

The grievance of the petitioner is that the respondents stopped supplying essential commodities to him for distributing the same to the cardholders, without assigning any reason despite the fact that his authorization as a Fair Price Shop Dealer has neither been suspended nor cancelled.

In that view of the matter, the respondents are directed to supply the essential commodities to the petitioner for distributing the same to the cardholders, if the authorization of the petitioner as Fair Price Shop dealer has neither been suspended nor cancelled.

With the above direction, the writ petition is disposed of at the stage of admission. No costs.

11-04-2005

Note:

Issue operative of the

Order on wire at party's cost.

B/0 ***KVSN***

To

1 The Revenue Divisional Officer, Sangareddy, Medak District.
2 The Mandal Revenue Officer, Sadasivpet Mandal, Medak District.

3 Two CCs to GP for Civil Supplies, High Court buildings, Hyderabad.

4 Two CD copies.